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December 15, 2017

VIA ECF

The Honorable Katharine H. Parker
United States Magistrate Judge
Southern District of New York
500 Pearl Street, Room 1950
New York, New York 10007

**Re: *City of Almaty, Kazakhstan, et ano. v. Mukhtar Ablyazov, et al.*,
Case No. 15-CV-5345 (AJN)**

Dear Judge Parker:

We represent Viktor and Ilyas Khrapunov in the above-referenced matter. We write in response to BTA/Almaty's December 12, 2017 letter motion to compel the production of documents from Marc Gilliéron, a lawyer at a prominent Swiss law firm [ECF No. 494]. As set forth below, we produced all documents that were received from Mr. Gilliéron, and we believe the motion is thus moot as to the Khrapunovs.

Following Mr. Gilliéron's deposition, at which he indicated that he could provide his firm's "know-your-customer files" for an entity if the entity's ultimate beneficial owner gave its consent, BTA/Almaty requested that Mr. Gilliéron produce: (i) know-your-customer files for Khrapunov-related entities; (ii) Mr. Gilliéron's notes of a meeting he said he had with FBME Bank; and (iii) "all records" in Mr. Gilliéron's custody concerning "atypical" activity (*i.e.*, non-legal activity that would not be covered by the attorney-client privilege).

BTA/Almaty's request was far broader than the know-your-customer documents that Mr. Gilliéron testified that he could provide; nevertheless, Viktor and Ilyas Khrapunov gave their consent for Mr. Gilliéron to provide us with the documents that BTA/Almaty requested to the extent the Khrapunovs' consent permitted him to do so. (The Khrapunovs did not waive any attorney-client protection that would apply to any legal work, or "typical activity," performed by Mr. Gilliéron or his firm.)

Two days ago, on December 13, 2017, we received certain documents from Mr. Gilliéron, including corporate documents of various entities. We promptly produced them to

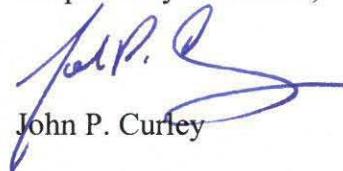
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counsel for all parties. We also received a letter from Mr. Gilliéron, attached hereto as **Exhibit A**, in which Mr. Gilliéron indicates that he is prohibited by Swiss law from providing us with additional materials.

In short, the Khrapunovs have, to the extent possible under Swiss law, obtained and produced to BTA/Almaty the documents they request, and BTA/Almaty's motion to compel should be considered moot as to the Khrapunovs.

Respectfully submitted,



John P. Curley

cc: All Counsel of Record (*by ECF*)